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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,611	08/07/2003	Yoshihito Asao	Q76555	9608
23373	7590	07/13/2005		
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER PHAM, LEDA T	
			ART UNIT 2834	PAPER NUMBER

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/635,611

**Applicant(s)**

ASAO ET AL.

**Examiner**

Leda T. Pham

**Art Unit**

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 11-14 is/are pending in the application.
- 4a) Of the above claim(s) 2,13 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,11 and 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to amendment filed on 4/26/05.
2. Claims 1, 11 – 12 are presented for examination. Claims 3 – 10 are canceled.
3. Newly submitted claims 13 – 14 and claim 2 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the plurality of first concave portions and the second concave portion provided in an outer circumference face of the core, and the depth of the second concave portion is larger than the depth of the first concave portion can be use in a cooling system to cool the stator or to rigid the stator in the housing.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 13 – 14, 2 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

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do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1, 11 – 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Yusuke (JP 10-201,146).

Referring to claim 1, Yusuke teaches a stator (figure 7) comprising:

A cylindrical iron core (14) including a plurality of slots provided around an inner circumferential face of the cylindrical iron core (14), and a welded portion (14a) abutting end faces of the cylindrical iron core are only partially welded together (the end faces 14a are adhesive or welded together at only the outer circumferential of core 14 to make a cylindrical core 17 having slits 35 on each slots 36 between two adjacent teeth 34, figure 11) at an outer circumferential face of the cylindrical iron core has a lower radial crushing strength at the welded portion than at other portions of the cylindrical iron core (Inherently, at the welding portions, the rigidity of that portions is lower than the other portion of the stator core, therefore the radial crushing strength at welding portions is lower than the other portion in the stator core), and a coil (12) disposed in the slots (36).

Referring to claim 11, Yusuke teaches a stator comprising:

a cylindrical iron core (33) including a plurality of slots provided around an inner circumferential face of the cylindrical iron core (33) and a notch portion (35) provided in an inner wall surface of one of the slots (36); and a coil (12) disposed in the slots (36), wherein the notch portion comprises a linear slit (35) extending only partially through the cylindrical iron

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core in a radial direction so that the cylindrical iron core (figure 11 – 14) has a lower radial crushing strength at the notch portion than at other portions of the cylindrical iron core (Inherently, at the slit portions, the rigidity of that portions is lower than the other portion of the stator core, therefore the radial crushing strength at slit portions is lower than the other portion in the stator core).

Referring to claim 12, Yusuke teaches the stator wherein the cylindrical iron core (41) includes four notch portions (there are totally 12 notch portions 42 provided around the inner circumferential of the stator core 41) provided in the inner wall surfaces of four of the slots located at intervals of 90 degrees around the inner circumferential face of the cylindrical iron core (notch portions 1, 4, 7, and 10 are provided in four of the slots locating at intervals of 90 degree).

6. Claims 1, 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamada et al. (U.S. Patent No. 5,986,377).

Referring to claim 1, Yamada teaches a stator (figure 2) comprising:

A cylindrical iron core (11) including a plurality of slots provided around an inner circumferential face of the cylindrical iron core (11), and a welded portion (figure 2, the darkened mark between stator units 13) abutting end faces of the cylindrical iron core are only partially welded together (the end faces of core unit 13 in figure 1 are welded together at only the outer circumferential of core 13 to make a cylindrical core 11 in figure 2) at an outer circumferential face of the cylindrical iron core has a lower radial crushing strength at the welded portion than at other portions of the cylindrical iron core (Inherently, at the welding portions, the rigidity of that portions is lower than the other portion of the stator core, therefore the radial crushing strength at

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welding portions is lower than the other portion in the stator core), and a coil (18) disposed in the slots.

Referring to claim 11, Yamada teaches a stator comprising:

a cylindrical iron core (11) including a plurality of slots provided around an inner circumferential face of the cylindrical iron core (11) and a notch portion (13a) provided in an inner wall surface of one of the slots; and a coil (18) disposed in the slots, wherein the notch portion comprises a linear slit extending only partially through the cylindrical iron core in a radial direction so that the cylindrical iron core (figure 1 – 2) has a lower radial crushing strength at the notch portion than at other portions of the cylindrical iron core (Inherently, at the slit portions, the rigidity of that portions is lower than the other portion of the stator core, therefore the radial crushing strength at slit portions is lower than the other portion in the stator core).

7. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Fujita et al. (U.S. Patent No. 6,819,024 B1).

Referring to claim 1, Fujita teaches a stator (figure 1a – 1c) comprising:

A cylindrical iron core (15) including a plurality of slots provided around an inner circumferential face of the cylindrical iron core (15), and a welded portion (16) abutting end faces of the cylindrical iron core are only partially welded together at an outer circumferential face of the cylindrical iron core (figure 1c) has a lower radial crushing strength at the welded portion than at other portions of the cylindrical iron core (Inherently, at the welding portions, the rigidity of that portions is lower than the other portion of the stator core, therefore the radial crushing strength at welding portions is lower than the other portion in the stator core), and a coil (not shown) disposed in the slots.

***Response to Arguments***

8. Applicant's arguments with respect to claim 1, 11 - 12 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leda T. Pham whose telephone number is (571) 272-2032. The examiner can normally be reached on M-F (8:30-6:00) first Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Leda T. Pham  
Examiner  
Art Unit 2834



LTP  
July 1, 2005



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